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PART I

Punjab Government Notifications and Orders

GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR

(Labour Branch)

NOTIFICATION

The 10th September, 2020

No.11/01/2019-21(P.F.)/1347.-The following draft of rules further to amend the Punjab Factory Rules, 1952, which the Governor of Punjab proposes to make in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act No. 63 of 1948) and all other powers enabling him in this behalf, is published as required by sub-section (1) of section 115 of the said Act, for information of the persons likely to be affected thereby.

Notice is hereby given that the draft will be taken into consideration by the State Government on or after the expiry of a period of forty-five days from the date of publication of this notification in the Official Gazette, together with any objection or suggestion, which may be received by the Director of Factories, Punjab, Labour Bhawan (Model Welfare Centre), Sector-64, Phase-10, Mohali, at email-id dofofficework@gmail.com from any person before the expiry of the period, so specified, with respect to the said draft, namely:-

DRAFT RULES

1. (1) These rules may be called the Punjab Factory (Amendment) Rules, 2020.
- (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. In the Punjab Factory Rules, 1952 (hereinafter referred to as the said rules), in rule 2-A, after sub-rule (5), the following sub-rules shall be added, namely:-

“(6) Following leading technical Institutions in the State of Punjab and Chandigarh having Civil or Structural Engineering courses shall be the competent person for the purpose of clause (a) of sub-section (1) of section 6 of the Act namely:-

- 1) Punjab Engineering College (deemed to be University), Sector-12, Chandigarh;
- 2) Chandigarh College of Engineering and Technology, Sector-26, Chandigarh;

- 3) Thapar Institute of Engineering and Technology, Patiala
 - 4) Guru Nanak Dev Engineering College, Ludhiana,
 - 5) Dr. B.R. Ambedkar National Institute of Technology, Jalandhar
 - 6) Giani Zail Singh Campus College of Engineering and Technology, Maharaja Ranjit Singh Punjab Technical University, Bathinda
 - 7) Indian Institute of Technology, Ropar;
 - 8) Punjabi University, Patiala
 - 9) Shaheed Bhagat Singh State Technical Campus, Ferozepur and
 - 10) any other institute, as may be notified by the State Government
- 7) The certification done by the institutions referred in sub-rule (6) shall be accepted only when such certification is signed by the Head of the Civil or Structural Engineering Department and Head of the Institution”.

3. In the said rules, in rule 3(A) :-

(i) for sub-rule (2), the following shall be substituted, namely:-

“(2) No additions, alterations or extensions in the existing factory shall be made, except those specified in the Schedule given below, unless such additions, alterations or extensions are accepted by the Chief Inspector.

SCHEDULE

Serial No.	Type of additions, alterations or extensions
1.	Boundary Wall upto height of 6 Feet.
2.	Rooms or cabins be used for clerical/managerial /pantry purposes.
3.	Security pickets or guard rooms
4.	Electricity meter rooms
5.	Sheds for vehicle parking
6.	Canopies for generator sheds
7.	Store where non-combustible or non-inflammable or non-toxic material to be stored.
8.	Balcony or chajjas.
9.	Toilets or urinals.
10.	Demolition of any part of factory building.
11.	Addition of machinery which does not result in any change in process or end product or by product.
12.	Changes in outer gates.
13.	Additional stair cases or ramps.
14.	Rooms to be used for residential purposes”; and

(ii) In the sub-rule (3):-

(a) for the words, figure, signs and letter “Application for submission the plans shall be made by the competent person In form No, 1-C along-with the following plans and documents in duplicate (In duplicate duly countersigned by the Occupier or Manager as the case may be), to the Chief Inspector”, the words, brackets and signs “ Application for submission of the plans shall be uploaded by the Occupier or Manager along with the following plans and documents on the portal pblabour.gov.in of the Chief Inspector ,” shall be substituted; and

(b) For clause (f), the following clause shall be substituted, namely:-

(i) The occupier or manager of the factory shall appoint a Competent Person for certification of Building Plans and Stability Certificate.

(ii) The competent person shall make an application of self certification to the effect that the building plans and stability certificate being certified are as per the Act and rules there under. The occupier or manager of the factory shall submit such certified application through his user name on the portal "pblabour.gov.in" of the Chief Inspector, Punjab for acceptance.

4. In the said rules after rule 10, the following rule shall be added, namely:-

“10 –A Automatic Renewal of License:

(1) A license shall be renewed for one year digitally through automatic mode if there is no change in particulars of license from the previous granted or renewed license and other conditions required by Government.

(2) For the purposes of sub-rule (1) every application for the renewal of license shall be made in Form 2-B together with the fees for a period of one year, and shall be submitted on departmental portal “pblabour.gov.in” not less than thirty days before the date on which the license is to expire.

(3) The fees for renewal of license for one year shall be as specified in the Schedule given under sub-rule (2) of rule 8.

Provided that if the application for renewal, complete in all respects, is not submitted on the portal within the time specified in sub-rule (2), a late fee of twenty-five percent of the fees payable for the renewal of a license for one year shall be chargeable.

(4) The license generated under this rule shall have the same sanctity as renewed under rule 10

5. In the said rules in rule 70, for sub-rule (5), the following shall be substituted, namely:-

“(5) The Chief Inspector, may by an order in writing exempt any factory from the requirements of this rule, subject to such conditions as he may specify in that order if there is an empanelment of a hospital or nursing home of minimum twenty beds at a travel distance of not more than two kilometers from the main gate of the factory and also there is a provision of ambulance van in the premises of the factory”.

6. (i) In the said rules after rule 113, the following rule shall be added, namely:-

“114 Maintenance of registers in electronic or digital format

(1) Occupier or factory manager shall have an option to maintain the registers mentioned in the Schedule given below in electronic or digital format with time stamp, geo positioning and digital signatures of the occupier or factory manager in the same format as specified for the said registers in these rules.

Schedule

Serial. No	Name of Register	Section	Rule
1	Particular of Rooms Register	6	3-A
2	Lime-Washing Register	11	18
3	Humidity Register	15	24
4	Tight-cloth Register	22	58
5	Compensatory Holidays register	53	83
6	Overtime muster roll for exempted workers Register	59	85
7	Adult Workers Register	62	87

8	Child Labour Register	73	93
9	Leave With Wages Register	83	94-A
10	Health Register	87	102
11	Muster Roll	112	110
12	Accident Register	112	111
13	Inspection Book	112	112

- (2) The occupier or manager shall provide access to the inspector to inspect such registers as and when required and shall also make a provision for signing of such registers digitally by the inspector.
- (3) The occupier or manager shall preserve such registers as required under provisions of the Act and these rules”

FORM 2-B

APPLICATION FOR AUTOMATIC RENEWAL OF LICENCE FOR THE YEAR.....

- Full name of the factory and address of the factory:
- Nature of manufacturing process or processes, bye-products to be carried in factory:
- Maximum number of workers proposed to be employed in any one day during the year for which licence is sought:
- Amount of power in K.W. Installed or proposed to be installed:
- Full name, residential address and name of father of the person who shall be the manager of the factory for the purposes of the Act:
- Full name, residential address and name of father of person who is occupier for the purpose of Act:
 - Proprietor in case of proprietary concern
 - Partner in case of partnership firm/LLP
 - The directors in case of a private/public limited Liability Company
 - Person appointed by Government in case of a Government or local authority factory
 - Managing Director of society in case of co-operative societies
- Full name and address of the owner of the premises or building (including the Precincts thereof) referred to in section 93:
- Reference number and date of approval of the plans and stability:
- Amount of fee paid: Rs. Date of payment.....
 Digital Signature of occupier:
 Digital Signature of manager:

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